

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

GILL JENNINGS & EVERY
Broadgate House
7 Eldon Street
London EC2M 7LH
GRANDE BRETAGNE

RECEIVED

18 NOV 2004

GILL JENNINGS & EVERY

PCT

DIARIED

WRITTEN OPINION
(PCT Rule 66)

Date of mailing
(day/month/year)

25.11.2004

Applicant's or agent's file reference
MJB07360WO

REPLY DUE

within 3 month(s)
from the above date of mailing

International application No.
PCT/GB 03/01376

International filing date (day/month/year)
28.03.2003

Priority date (day/month/year)
28.03.2003

International Patent Classification (IPC) or both national classification and IPC
B24B23/03

Applicant
THE TECHNOLOGY PARTNERSHIP PLC et al.

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 28.07.2005

Name and mailing address of the international preliminary examining authority:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Eder, R

Formalities officer (incl. extension of time limits)

Dolezel, A

Telephone No. +49 89 2399-2940



WRITTEN OPINION

International application No. PCT/GB 03/01376

I. Basis of the opinion

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-4 as originally filed

Claims, Numbers

1-6 received on 06.10.2004 with letter of 05.10.2004

Drawings, Sheets

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-6
Inventive step (IS)	Claims	1-6
Industrial applicability (IA)	Claims	

2. Citations and explanations**see separate sheet**

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

- D1: US-A-1 430 214 (WILLIAM D SAWYER) 26 September 1922 (1922-09-26)
- D2: EP-A-1 300 218 (TECHNOLOGY PARTNERSHIP) 9 April 2003 (2003-04-09)
- D3: US-A-2 759 305 (HELBIG JIM D) 21 August 1956 (1956-08-21)
- D4: DE 11 58 674 B (MAUZ & PFEIFFER) 5 December 1963 (1963-12-05)
- D5: DE 930 948 C (MUELLER BRUETSCH & CO ZUERICH) 28 July 1955 (1955-07-28)
- D6: CH 237 159 A (BUEHLER AG GEB) 15 April 1945 (1945-04-15).

1. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (the references in parentheses applying to this document):

a work tool comprising a principal drive shaft (3) with a sun gear (11) attached thereto; 4 planetary gears (9,12) distributed about the circumference of the sun gear at substantially equal angular separation (90°); and a carriage (7) for constraining the planetary gears (9,12) such that they maintain their angular separation about the axis of the principal drive shaft (3); wherein each planetary gear (9,12) has an eccentric axis (14) in addition to its rotational axis (8) constrained by the carriage (7), such that each planetary gear (9,12) can drive, in use, a platen (15) around the respective eccentric axis (14), and wherein the rotation of the eccentric axis [e.g. the lowermost eccentric axis (14)] of a first planetary gear [e.g. the uppermost planetary gear (9,12) of Figure 3] about its associated rotational axis (8) has a phase difference in a clockwise direction of 90° relative to the rotation of the eccentric axis [e.g. the rightmost eccentric axis (14)] of a second planetary gear [e.g. the rightmost planetary gear (9,12) of Figure 3] about its associated rotational axis (8), the second planetary gear (9,12) being adjacent to the first planetary gear (9,12) in a clockwise direction.

2. Furthermore, the present application does not inventive step in the sense of Article 33(3) PCT when starting from document D3 as closest prior art.

3. Dependent claims 2-6 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and inventive step in view of documents D3 and D4 and the passages of these documents cited in the search report.

Annotation:

Document D2 represents an earlier document with reference to this international application published on or after the international filing date.